

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE #2020-__

**AN ORDINANCE
OF JASPER COUNTY COUNCIL**

An ordinance amending the Personnel Policies and Procedures Manual relating to disaster pay and other matters related thereto in accordance with Section 2-67 of the Jasper County Code of Ordinances.

WHEREAS, from time to time Jasper County is subject to natural disasters, such as hurricanes and other weather or man-made events which could require evacuations and other extraordinary measures to protect the well-being of citizens, visitors and travelers in Jasper County before, during and after such disasters, requiring certain employees of Jasper County to be available as essential personnel; and

WHEREAS, in order to qualify for reimbursement from state and/or federal funds, certain disaster pay policies must be adopted and conform to standards promulgated by these state and/or federal program administrators; and

WHEREAS, Jasper County Council finds it desirable to clarify past practices regarding disaster/emergency employee requirements and pay policies in order to prevent confusion, enable efficient planning, and obtain reimbursement when possible; and

WHEREAS, Section 2-67 of the Jasper County Code of Ordinances provides for the County Administrator to carry out employment and compensation matters in accordance with policies and procedures adopted by County Council, and to supervise all county employees who do not work for elected or appointed officials; and

WHEREAS, the County Administrator has recommended the County Council amend the Jasper County Personnel Policies and Procedures Manual ("Personnel Manual") to include a new Section addressing Operational Shutdown Leave and Disaster Pay Procedures; and

WHEREAS, Ordinance 2019-19, amended the Personnel Manual by adding Section 11.I, Operational Shutdown Leave; and

WHEREAS, the County Administrator has recommended that County Council further amend the Personnel Manual to revise Section 11.I Disaster Pay Procedure to exclude employees designated as Department Heads and/or Directors from the receipt of pay at time and half for any hours worked as a result of a disaster declaration.

WHEREAS, the Council, after due deliberation and consideration of the foregoing recommendation of the County Administrator and premises set forth above, finds the adoption of the proposed amendment to the Personnel Manual to be in the best interests of the County;

NOW THEREFORE BE IT ORDAINED by the Jasper County Council in council duly assembled and by the authority of the same:

Section 1. Amendment to Personnel Manual. County Council does hereby adopt the revision of the following Section 11.I, Operational Shutdown Leave, as an amendment to the Jasper County Personnel Policies and Procedures Manual.

11. I OPERATIONAL SHUTDOWN LEAVE

At times, emergencies such as severe weather, fire, power failure, etc., can disrupt County operations. In extreme cases, these circumstances may require the closing of a work facility. In the event the County directs the shutdown of offices, operational units, etc., employees may use available annual leave unless otherwise directed by the County. Employees who are required to report to work during emergency closing situations (essential employees) will be notified by the County Administrator, or designee(s), and will be paid accordingly:

11.I Disaster Pay Policy

Employee Category	SC State and/or Local Disaster Declaration	County Offices and Facilities Closed
Essential Employee, excluding Department Heads and Directors. <ul style="list-style-type: none">• Exempt• Non-Exempt	<p>Paid at employee's straight time pay rate until hours meet overtime threshold.</p> <p>Hours worked that exceed the overtime threshold are paid at one and a half times the employee's straight time pay rate and are designated as Disaster Inservice Overtime Hours (DIS.)</p>	<p>Paid at one and a half times the employee's straight time pay rate for all hours worked. Hours worked are designated Disaster Inservice Overtime Hours (DIS.)</p> <p>Hours spent at County facilities, hotels or other facilities approved by the County Administrator, as a requirement of the job duty and for which the employee would not normally be compensated</p>

		are paid at straight time. These hours are designated as Disaster Overtime at Regular Hourly Rate (DRH).
<p>Non-Essential Employee, excluding Department Heads and Directors.</p> <ul style="list-style-type: none"> • Exempt • Non-Exempt 	<p>Paid per non-disaster County policy.</p> <p>Hours worked in an emergency service capacity, i.e. at the Emergency Operations Center, are paid at one and a half times the employee's straight time rate. Hours are designated as Disaster Inservice Hours (DIS.)</p>	<p>Paid straight time pay rate for normally scheduled work hours while offices and facilities are closed. Vacation and sick leave will be paid per non-disaster County policy.</p> <p>Hours worked in an emergency service capacity, i.e. at the Emergency Operations Center, are designated as Disaster Inservice Overtime Hours (DIS) and are paid at one and a half times the employee's straight time rate.</p> <p>Hours spent at County facilities, hotels or other facilities approved by the County Administrator, as a requirement of the job duty and for which the employee would not normally be compensated are paid at straight time. These hours are designated as Disaster Overtime at Regular Hourly Rate (DRH).</p>

Department Heads and Directors	Paid per non-disaster County policy.	Paid regular salary for normally scheduled work hours while offices and facilities are closed. Vacation and sick leave will be paid per non-disaster County policy.
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Section 2. Severability. If any section, clause, paragraph, sentence or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such invalid section, clause, paragraph, sentence or phrase is hereby declared to be severable; and any such invalid or unconstitutional section, clause, paragraph, sentence or phrase shall in no way affect the remainder of this ordinance; and it is hereby declared to be the intention of the County Council that the remainder of this ordinance would have been passed notwithstanding the invalidity or unconstitutionality of any section, clause, paragraph, sentence or phrase thereof.

Section 3. Effective Date. This Ordinance shall take effect upon approval by Council.

Henry Etheridge
Chairman

ATTEST:

Tisha L. Williams
Acting Clerk to Council

ORDINANCE: 20-__

First Reading: June 1, 2020
Second Reading: July 6, 2020
Public Hearing: July 6, 2020
Adopted:

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date